

ORDINANCE NO. 12-_____

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, as follows:

Section 1. The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting a vacation of a portion of a utility and drainage easement; that the applicants have represented to the City of Huntsville that Chad Martin Cole and wife, Alicia A. Mullen-Cole, are the owners of the property across which said easement lies; that said easement or portion being vacated is not presently used and is no longer needed for a public or municipal purpose.

Section 2. Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute a quitclaim deed vacating the easement hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA)

COUNTY OF MADISON)

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that the undersigned **CITY OF HUNTSVILLE**, an Alabama municipal corporation, hereinafter referred to as Grantor, in consideration of the sum of Ten Dollars (\$10.00) in hand paid by **Chad Martin Cole and Alicia A. Mullen-Cole**, hereinafter referred to as Grantee, and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim and convey unto the Grantee, all of the Grantor's right, title, interest and claim in and to the following described real estate situated in the City of Huntsville, County of Madison, State of Alabama, to-wit:

All that part of Lot 5, Block 4, according to the map of survey of Greenwyche Village Second Addition, as same appears of record in the office of the Judge of Probate, Madison County, Alabama, plat book 1, at Page 328; more particularly described as beginning at a point on the East side of an existing 10' utility and drainage easement that is South 88 degrees 05 minutes 00 seconds East (base bearing) 5.0 feet and South 00 degrees 50 minutes 34 seconds West 30.01 feet from the Northwest corner of said Lot 5.

Thence from the true point of beginning and along said easement, South 00 degrees 50 minutes 34 seconds West 20.00 feet to a point

Thence South 88 degrees 05 minutes East 115.33 feet to a point

Thence South 33 degrees 36 minutes 05 seconds East 35.24 feet to a point on the West side of an existing 20' utility and drainage easement

Thence along said 20' utility and drainage easement North 00 degrees 58 minutes 47 seconds East 48.69 feet

Thence leaving said 20' easement North 88 degrees 05 minutes West 135.38 feet; to the point of beginning and containing 2994.11 square feet.

TO HAVE AND TO HOLD unto the said grantee, its successor and assigns forever.

IN WITNESS WHEREOF, Grantor has caused this quitclaim to be signed in its behalf by its Mayor and attested by its Clerk-Treasurer, this the 26 day of July 2012.

CITY OF HUNTSVILLE, AL.
A municipal corporation

By: _____
Tommy Battle, Mayor

ATTEST:

By: _____:
Charles E. Hagood
Clerk – Treasurer

STATE OF ALABAMA)

COUNTY OF MADISON)

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Tommy Battle and Charles E. Hagood, whose names as Mayor and City Clerk – Treasurer, respectively, of the City of Huntsville, Alabama, a municipal corporation are signed to the foregoing document, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, as such officers and with full authority, executed the same for and as the act of said corporation on the day the same bears day.

GIVEN under my hand and official seal this the 26th day of July
2012.

NOTARY PUBLIC

Commission Expires:_____

THIS INSTRUMENT PREPARED BY: William T. Agrelius, Big Spring Surveyors, 404 Andrew Jackson Way, Huntsville Al. 35801

Ordinance No. 12-_____ (Cont.)
Chad and Alicia Cole

ADOPTED this the 26th day of July, 2012.

President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 26th day of July, 2012.

Mayor of the City of
Huntsville, Alabama